IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

FRIDAY, THE 23RD NOVEMBER 2007 / 2ND AGRAHAYANA 1929

RP.No. 1058 of 2007()

AGAINST THE JUDGEMENT IN MACA.408/2007 Dated 13/03/2007
OPMV.428/2001 of MOTOR ACCIDENT CLAIMS TRIBUNAL, TIRUR
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REVIEW PETIITONER/APPELLANT

UNITED INDIA INSURANCE COMPANY LTD
REP. BY ITS ASST, MANAGER
REGIONAL OFFICE, SHARANYA,
HOSPITAL ROAD, KOCHI-11.

BY ADV. SRI.P.R.RAMACHANDRA MENON

RESPONDENTS: RESPONDENTS
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1. **SULAIMAN,S/O. HASSAN, AGED ABOUT 48 YEAR**
   PARAMBIL HOUSE, NEAR TB HOSPITAL, PONNANI P.O.

2. **SHAMSUDHEEN,S/O.MOIDEENKUTTY**
   THAIVALAPPIL HOUSE, AGED ABOUT 37 YEARS,
   PONNANI.

3. **ABDUL RAHIM,S/O. HAMZA AGED BAOUT 25**
   YEARS, KOTTUPARAMBIL HOUSE, THIRUNAVAYA P.O.

4. **N.HASKAR,S/O. AZEEZ**
   NALAKATH HOUSE, VAIRANKODE P.O., MALAPPURAM DIST.

5. **THE ORIENTAL INSURANCE COMPANY LTD**
   CKH BUILDING, THAZHEPALAM, TIRUR.

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 23/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K. PADMANABHAN NAIR, J.

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IN
M.A.C.A. NO. 408 OF 2007

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Dated this the 23rd day of November, 2007

O R D E R

The appeal was dismissed at the time of admission without issuing notice to the respondents. According to the Review Petitioner the claimant was a pillion rider and no additional premium was collected. Even though the policy is described as a package policy, the same will not cover the risk of a pillion rider. So the judgment dated 13.3.2007 is hereby reviewed and recalled.

In the result, Review Petition is allowed and the judgment dated 13.3.2007 is reviewed.

Post the M.A.C.A. for admission.

K. PADMANABHAN NAIR, JUDGE.

vsv

K. PADMANABHAN NAIR, J.

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O R D E R

23RD NOVEMBER, 2007